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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/726,003	11/12/2003	Stephen Miller	2058.300C	5234
7590 02/16/2007 CONNORS & aSSOCIATES INC 1600 DOVE STREET SUITE 220 NEWPORT BEACH, CA 92660-2427			EXAMINER YIP, WINNIE S	
			ART UNIT 3636	PAPER NUMBER
			MAIL DATE 02/16/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action
After the Filing of an Appeal Brief

Application No.

10/726,003

Examiner

Winnie Yip

Applicant(s)

MILLER, STEPHEN

Art Unit

3636

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The reply filed 18 December 2006 is acknowledged.

1. ☐ The reply filed on or after the date of filing of an appeal brief, but prior to a final decision by the Board of Patent Appeals and Interferences, will not be entered because:

a. ☐ The amendment is not limited to canceling claims (where the cancellation does not affect the scope of any other pending claims) or rewriting dependent claims into independent form (no limitation of a dependent claim can be excluded in rewriting that claim). See 37 CFR 41.33(b) and (c).

b. ☐ The affidavit or other evidence is not timely filed before the filing of an appeal brief.
See 37 CFR 41.33(d)(2).

2. ☐ The reply is not entered because it was not filed within the two month time period set forth in 37 CFR 41.39(b), 41.50(a)(2), or 41.50(b) (whichever is appropriate). Extensions of time under 37 CFR 1.136(a) are not available.

Note: This paragraph is for a reply filed in response to one of the following: (a) an examiner's answer that includes a new ground of rejection (37 CFR 41.39(a)(2)); (b) a supplemental examiner's answer written in response to a remand by the Board of Patent Appeals and Interferences for further consideration of rejection (37 CFR 41.50(a)(2)); or (c) a Board of Patent Appeals and Interferences decision that includes a new ground of rejection (37 CFR 41.50(b)).

3. ☐ The reply is entered. An explanation of the status of the claims after entry is below or attached.

4. ☒ Other: The proposed amendment filed after Appeal Brief, but prior to a final decision by the Board of Patent Appeals and Interferences, will not be entered because it is not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).



WINNIE YIP
PRIMARY EXAMINER